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2010R00526/LSH

APR 29 2013

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AT 8:30
WILLIAM T. WALSH
CLERK

UNITED STATES OF AMERICA :

Hon. *Peter G. Sheridan*

v. :

Criminal No. *13-285 (PGS)*

JOHN ANNETTA :

26 U.S.C. § 7201

18 U.S.C. § 2

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:

a. Defendant JOHN ANNETTA ("ANNETTA") was a resident of Monmouth County, New Jersey;

b. Defendant ANNETTA was the Senior Vice President of Operations ("Senior VP") at a wholesale food distributor ("Company 1");

c. Company 1 was located in Carteret, New Jersey, and was an independent wholesale food distributor in the New York City and New Jersey metropolitan areas.

2. For calendar years 2006, 2007, 2008, 2009, 2010 and 2011 defendant ANNETTA intentionally failed to provide the IRS with true, correct, and complete information regarding income that he received in connection with his position as Senior VP at Company 1, and by so doing, intentionally underreported his income, in the aggregate amount of approximately \$536,530

(approximately \$36,571 in 2006, approximately \$78,425 in 2007, approximately \$106,852 in 2008, approximately \$124,903 in 2009, approximately \$95,875 in 2010, and approximately \$93,904 in 2011).

3. On or about May 28, 2007, defendant ANNETTA signed, filed, and caused to be filed with the IRS a 2006 U.S. Individual Income Tax Return, Form 1040, in which he falsely stated that his total income for the calendar year 2006 was \$330,692 and that he was due a tax refund from the IRS of \$34,539.

4. On or about April 14, 2008, defendant ANNETTA signed, filed, and caused to be filed with the IRS a 2007 U.S. Individual Income Tax Return, Form 1040, in which he falsely stated that his total income for the calendar year 2007 was \$423,772 and that he was due a tax refund from the IRS of \$30,790.

5. On or about April 13, 2009, defendant ANNETTA signed, filed, and caused to be filed with the IRS a 2008 U.S. Individual Income Tax Return, Form 1040, in which he falsely stated that his total income for the calendar year 2008 was \$400,046 and that he was due a tax refund from the IRS of \$31,878.

6. On or about April 19, 2010, defendant ANNETTA signed, filed, and caused to be filed with the IRS a 2009 U.S.

Individual Income Tax Return, Form 1040, in which he falsely stated that his total income for the calendar year 2009 was \$388,377 and that he was due a tax refund from the IRS of \$28,214.

7. On or about April 4, 2011, defendant ANNETTA signed, filed, and caused to be filed with the IRS a 2010 U.S. Individual Income Tax Return, Form 1040, in which he falsely stated that his total income for the calendar year 2010 was \$398,576 and that he was due a tax refund from the IRS of \$23,070.

8. On or about April 2, 2012, defendant ANNETTA signed, filed, and caused to be filed with the IRS a 2011 U.S. Individual Income Tax Return, Form 1040, in which he falsely stated that his total income for the calendar year 2011 was \$437,066 and that he was due a tax refund from the IRS of \$13,496.

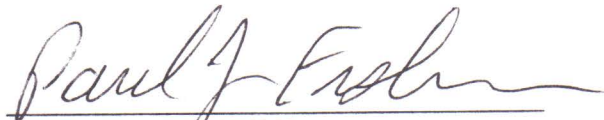
9. Defendant ANNETTA's intentional failure to disclose true, correct, and complete information to the IRS regarding income that he received in connection with his position as Senior VP of Company 1 resulted in a tax loss to the United States of approximately \$536,530 (approximately \$36,571 in 2006, approximately \$78,425 in 2007, approximately \$106,852 in 2008, approximately \$124,903 in 2009, approximately \$95,875 in 2010, and approximately \$93,904 in 2011).

10. On or about April 19, 2010, in Middlesex County, in the District of New Jersey and elsewhere, defendant

JOHN ANNETTA

knowingly and willfully attempted to evade and defeat a substantial part of the income tax due and owing to the United States in that he signed and caused to be filed a false and fraudulent 2009 U.S. Individual Income Tax Return, Form 1040, described in paragraph 6 of this Information, knowing it to be false and fraudulent as described in paragraphs 2 and 9.

In violation of Title 26, United States Code, Section 7201, and Title 18, United States Code, Section 2.


PAUL J. FISHMAN
UNITED STATES ATTORNEY

Cr. 13-285 (PGs)

CASE NUMBER: 2010R00526

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UNITED STATES OF AMERICA

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INFORMATION FOR

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PAUL J. FISHMAN
U.S. ATTORNEY

LAKSHMI SRINIVASAN HERMAN
ASSISTANT U.S. ATTORNEY
NEWARK, NEW JERSEY
(973) 645-3985
